

provisions of H.R. 2262 do not apply to small miners, many of whom reside in my district in Oregon. The Bureau of Land Management estimates that there are approximately 3,400 small miners in Oregon that hold 10 or fewer claims, who engage in casual use of the public lands for hand panning, nonmotorized sluicing, and other small, recreational mining activities. Unfortunately, my amendment was not approved by the committee, although Chairman RAHALL agreed to work with me to address my concerns.

I intended to offer the same amendment to H.R. 2262 here today on the floor, to do just that. The Rules Committee, however, did not make my amendment in order. Therefore, I rise today to speak on this issue.

I am told by Chairman RAHALL and his staff that the underlying bill does not apply to recreational miners, or those miners engaged in casual use of the public lands; i.e., those mining activities that do not ordinarily result in any disturbance of public lands and resources. Sections 302 and 304 of H.R. 2262 indicate that miners engaged in casual use do not have to get a permit to mine, and section 103 states that miners who hold less than 10 claims are exempt from paying the maintenance fee required under the act.

I am told that this language, combined with existing regulations, means that recreational miners are not subject to the royalty provisions of H.R. 2262. I remain unconvinced that this is the case, which is why I wanted to offer my amendment. If it is true that small miners are not covered by this legislation, then adding clarifying language should not have been a problem. If the bill is in fact unclear, my amendment would have clarified it. In addition, my amendment would have addressed concerns raised by Chairman RAHALL that exempting small miners from royalty payments was a slippery slope, and that the exemption would have reduced revenues to the Federal Government. Nevertheless, I was not permitted to offer my amendment.

Therefore, let me be clear now, it is not my intention that the royalty provisions of H.R. 2262—specifically, section 102 of the legislation—apply to small recreational miners engaged in casual use of the public lands for mining. Hand panning, the use of hand tools, and other similar activities that work public lands for enjoyment or to supplement one's income is a time-honored tradition in this country, and explicitly anticipated by a variety of Federal laws governing the multiple use of these lands. While a revamp of the 1872 mining law is more than overdue, including placing royalties on the minerals extracted from Federal lands, we must ensure that small, recreational mining opportunities are not lost. My amendment would have guaranteed protection for small miners. I am disappointed that I was unable to offer it today.

I have made my concerns known to my colleagues in the Senate, and have provided them with copies of my amendment. When this legislation reaches their Chamber, I will call on them to ensure that small miners are not subject to the royalty provisions of this bill. Until then, I will reserve my judgment on whether I will support a final conference report on mining reform.

Mr. PASTOR. Mr. Chairman, I rise today to applaud and congratulate my good friend, Chairman RAHALL for his efforts to bring this legislation to the House floor. He has worked

over many years to reform the mining law and because of his persistence, we have a better chance of finally securing reform than we ever have. Reform is long overdue.

I am supporting this legislation, but I wish to continue to work with the chairman and follow the actions of the Senate to make sure final legislation does not inadvertently create a system that makes our domestic industry unable to compete in the world marketplace. Mining has a long and colorful history in the State of Arizona and it provides great benefit to the State's economy. I believe we can have reform and also preserve a healthy industry.

I know the chairman shares that objective, and again I applaud him and his staff for making this issue a priority.

Mr. KING of Iowa. Mr. Chairman, I rise today in opposition to H.R. 2262, the Hardrock Mining and Reclamation Act of 2007.

H.R. 2262 will put new royalty rates on production from hardrock mining. For the other side, of course, royalty rates is a fun, new catchword meaning taxes. But, unlike the coal and petroleum industry who are taxed on production of product, H.R. 2262 will place the tax on the amount of material extracted. For example, if "Joe Voter Mining" moves 1 cubic yard of rock weighing in the neighborhood of 800 pounds to retrieve $\frac{1}{16}$ th or 1 ounce of gold, Joe would not be taxed on the gold recovered, but on the amount of rock moved. By raising taxes like this, the bill will cripple American production.

Since the 110th Congress convened, the PELOSI-led majority has been talking about the need for "renewable" energy.

The energy bills, that were rammed through the House and put large tax increases on the oil and natural gas industries placed a large emphasis on renewable energy; wind and solar. So why would this bill punish renewable energy?

Now, western Iowa does not have a hardrock mining industry. Thankfully for our farmers, we don't have much hardrock in western Iowa. But what we do have is large-scale production of renewable energy. The Fifth District of Iowa is the leader in production of BTU's of renewable energy: ethanol, biodiesel, and wind. However, this bill will put a cramp on further production of renewable energy. I want to let my colleagues on the other side of the aisle in on a little secret, those ethanol and biodiesel plants require steel and copper. Those wind chargers that produce clean, renewable electricity from the air sit on large steel columns. The electricity that is produced by wind chargers and solar panels is transported via copper wires.

Mr. Chairman, steel and copper come from the ground. So I want to try and figure out the Democrat logic. They are going to tax the raw resources that are used by the renewable industry to make a product the Democrats want to see more of? That doesn't sound like sound logic to me. I would just hope that what my Democrat colleagues realize is that which you tax, you get less of. If they want less renewable energy, then taxing the resources used in its production is a sure way to make that happen.

Mr. Chairman, today, oil is over \$90 a barrel and natural gas is over \$8 per million cubic feet because of Democrat energy policies. And in an absurd response, the Democrats aim to crush the renewable industry by raising the rates on the materials the renewable en-

ergy industry is built on. I urge my colleagues to oppose H.R. 2262, the Hardrock Mining and Reclamation Act of 2007.

Mr. UDALL of New Mexico. Mr. Chairman, I rise today to mark the passage of H.R. 2262, the Hardrock Mining and Reclamation Act. H.R. 2262 takes long overdue action to reform the 1872 Mining Act. That law, the General Mining Act of 1872, was written to encourage westward expansion and to generate the supply of minerals needed in our Nation. Back in 1872, a charge of \$5 an acre to mine hard rock minerals in remote areas of the undeveloped west was probably a pretty fair price. The fact that the price is still the same today is simply ludicrous.

As a result, private companies, both domestic and foreign, have been able to profit handsomely by mining on public lands without the need to pay the American people any royalties or to even clean up the messes they leave behind. By some estimates, the antiquated 1872 Mining Act has allowed over \$245 billion worth of minerals to be extracted from more than 3.4 million acres of public lands without returning to the American people, the owners of those lands, a single cent in royalties. Today, we took a necessary step toward bringing this policy into the modern era.

H.R. 2262, introduced by Representative NICK RAHALL, the chairman of the Natural Resources Committee, requires mining companies to pay royalties to the American people for the minerals they mine from public lands and to properly reclaim lands damaged by mining. It also allows for the prohibition of mining on environmentally sensitive lands, and it creates a fund to begin the clean up of nearly a half million abandoned mine sites.

I sincerely hope that the Hardrock Mining and Reclamation Act sees swift passage in the other Chamber so we can send it to the President to be signed into law. Even though we have already waited 135 years to take action on this matter, time is truly of the essence. In 1872, hardrock mining mostly took place in the middle of vast undeveloped lands. Today, however, with over 375,000 mining claims spread throughout the rapidly developing West, some of our last pieces of unspoiled lands are threatened. According to the New York Times, many of those 375,000 claims are within 5 miles of 11 major national parks, including Death Valley and the Grand Canyon.

Over 89,000 of those claims were staked in 2006, largely due to the renewed interest in nuclear energy and the concomitant increase in the price of uranium. In New Mexico alone, almost 2,000 claims were staked in 2006. Many New Mexicans, most particularly members of the Navajo Nation, have already suffered devastating injuries from uranium mining in the past. H.R. 2262 will bring some much needed balance to the use of our public lands and, in so doing, help protect the health of our citizens. I am proud to support Chairman RAHALL's efforts and I encourage our colleagues in the other Chamber to do the same.

Mr. SHULER. Mr. Chairman, I rise today in support of H.R. 2262, the Hardrock Mining and Reclamation Act, which will reform the General Mining Law of 1872 and provide a fair return to the American taxpayer of publicly owned minerals on Federal lands.

By charging a royalty for publicly owned minerals, the American taxpayer will no longer have to bear the cost of reclaiming and restoring abandoned hardrock mines. H.R. 2262 will